



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION I**  
**5 POST OFFICE SQUARE, SUITE 100**  
**BOSTON, MASSACHUSETTS 02109-3912**

**URGENT MATTER -- PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL-- RETURN RECEIPT REQUESTED**

**AUG 18 2017**

Mr. Elie Saikali, Ph.D.  
Director of Manufacturing  
PCI Synthesis  
9 Opportunity Way  
Newburyport, MA 01950

**RE: NOTICE OF POTENTIAL VIOLATION** of the Resource Conservation and Recovery Act (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA) and Massachusetts General Law Chapters 21 C, Sections 4 and 6. The State of Massachusetts has been granted final authorization by EPA to administer certain portions of RCRA.

Dear Mr. Saikali:

On June 13-16, 2017, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection at PCI Synthesis, located in Newburyport, Massachusetts. The purpose of this inspection was, in part, to determine the compliance of PCI Synthesis, EPA ID # MAR000007955, with the relevant hazardous waste management regulations for the State of Massachusetts and the corresponding federal Hazardous Waste Management Regulations found in 40 CFR Parts 260-272.

As a follow up to the exit interview provided by EPA at the conclusion of the physical inspection of your facility, a partial written list of deficiencies is provided below to summarize the potential violations/areas of concern identified. Additional potential violations or areas of concern determined subsequent to EPA's inspection may also be included in the list below. You are requested to take immediate action on your part to evaluate this listing below and take corrective measures where necessary.

**Potential Violations/Areas of Concern:**

1) Failure to make a hazardous waste determination for wastewater (sludge) discharged from the building scrubber system, wash down of the exterior of the reactor vessels and spent carbon material, in accordance with 310 CMR 30.302.

- 2) Failure to keep containers closed when wastes are not being added or removed, in accordance with 310 CMR 30.685(1), as referenced by 310 CMR 30.3429(1)(c).
- 3) Failure to place accumulation dates on containers of hazardous waste, in accordance with 310 CMR 30.341(2)(d).
- 4) Failure to separate/segregate incompatible waste, in accordance with 310 CMR 30.688(4) as required by 310 CMR 30.342(1)(f) and 30.340(6)(e).
- 5) Failure to comply with Subpart BB air emissions standards for hazardous waste equipment.
- 6) Failure to comply with Subpart CC air emissions standards for hazardous waste tanks.
- 7) Failure to properly complete land disposal restriction (LDR) notifications, as required by 268.7(a).

This letter is EPA's initial response to potential hazardous waste violations and areas of concern that were observed during our June 13-16, 2017 inspection of your facility. The primary purpose of this letter is to identify potential problem areas and seek compliance. This Notice does not limit or otherwise preclude EPA from taking civil or criminal enforcement action pursuant to Section 3008 of RCRA, 42 U.S. § 6928 with regard to these or other violations that may be determined. EPA is continuing to investigate and evaluate PCI Synthesis compliance under RCRA; we are also currently evaluating PCI Synthesis compliance status under other statutes and may take an enforcement action as appropriate.

I urge you to take immediate positive steps to remedy the above-cited potential violations/areas of concern. If you have any questions regarding this letter or how to comply with RCRA requirements, please contact Linda Brolin of my staff at (617) 918-1876.

Sincerely,



Mary Jane O'Donnell, Manager  
RCRA, EPCRA & Federal Programs Unit

cc: Susan Ruch, MassDEP-NERO  
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